

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

ERICK D. CONWAY,

Plaintiff,

vs.

**RANDOLPH COUNTY, ILLINOIS , et
al.,**

Defendants.

Case No. 3:17-cv-00701-SMY

ORDER

YANDLE, District Judge:

Plaintiff Erick D. Conway filed the instant lawsuit pursuant to 42 U.S.C. § 1983 for alleged deprivations of his constitutional rights. This matter is before the Court on Plaintiff's Motion to Reopen Case and for Leave to File Amended Complaint. (Docs. 44, 45).

This lawsuit was dismissed for Plaintiff's failure to pay the filing fee and Judgment was entered on April 16, 2018. (Docs. 34, 35). In a letter filed on February 11, 2022, Plaintiff stated his intent to pay the filing fee and file an Amended Complaint. (Doc. 44). The Clerk of Court received Plaintiff's Amended Complaint on February 14, 2022 and docketed the motion at issue. (Doc. 45). Plaintiff does not identify grounds for setting aside a judgment under Federal Rule of Civil Procedure 60(b). Therefore, the motion is **DENIED**.

This Court previously advised Plaintiff that the dismissal of this case was without prejudice allowing him to file a new action to bring his claims with payment of the full filing fee. (Doc. 43, p. 2). Plaintiff chose not to file a new action and again seeks to reopen this case, despite the Court's admonition:

Plaintiff has repeatedly asked the Court to reconsider its prior rulings and Orders in this case. Specifically, he has filed 13 motions which take the Court's time and attention away

from other matters. For that reason, **Plaintiff is advised that should he continue filing motions asking the Court to review and reconsider its prior decisions in this closed case, the Court will order Plaintiff to show cause why he should not be sanctioned with a fine and/or a filing ban.** See *In re Mann*, 229 F.3d 657, 659 (7th Cir. 2000); *Alexander v. United States*, 121 F.3d 312 (7th Cir. 1997) (finding that courts have inherent authority to protect themselves from vexatious litigation and imposing a \$500 fine and entering a filing ban pursuant to *Support Systems Intern., Inc. v. Mack*, 45 F.3d 185 (7th Cir. 1995)).

(*Id.*, pp. 2-3). Accordingly, Plaintiff will be ordered to show cause as to why he should not be sanctioned.

Disposition

The Motion to Reopen Case and for Leave to File an Amended Complaint is **DENIED**.

Plaintiff is **ORDERED** to **SHOW CAUSE** on or before March 1, 2022 why he should not be sanctioned with a fine and/or a filing ban for his recent filings in this case in violation of the Court's June 18, 2018 Order.

IT IS SO ORDERED.

DATED: February 15, 2022

s/ Staci M. Yandle
STACI M. YANDLE
United States District Judge